

**CIVIL CASE NO. 1:11cv94**

**Defendant.**

## ORDER

On January 20, 2012, the Magistrate Judge filed a Memorandum and Recommendation [Doc. 28] in this case containing proposed conclusions of

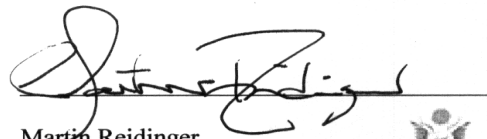
law in support of a recommendation that the Defendant's motion be granted. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has expired, and no written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation [Doc. 28], the Court finds that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's Recommendation that the Defendant's Renewed Motion to Dismiss be granted and the Plaintiff's Complaint be dismissed.

**IT IS, THEREFORE, ORDERED** that the Magistrate Judge's Memorandum and Recommendation [Doc. 28] is **ACCEPTED**; the Defendant's Renewed Motion to Dismiss [Doc. 5] is **GRANTED**; and the Plaintiff's Complaint is hereby **DISMISSED**.

**IT IS SO ORDERED.**

Signed: February 14, 2012



Martin Reidinger  
United States District Judge

